

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C., 20231, on:

Date: 4/24/01

By: Deborah Bratmeyer

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF:

Martin, et al.

SERIAL NO.: Not yet Assigned

FILED: Concurrently Herewith

FOR: LIPOSOMES WITH ENHANCED  
CIRCULATION TIME AND METHOD OF  
TREATMENT

EXAMINER: Unknown

ART UNIT: Unknown

Assistant Commissioner for Patents  
Washington, D.C. 20231

**Preliminary Amendment**

Sir:

Prior to the examination and calculation of the filing fee of the above application, please amend this application as follows:

IN THE SPECIFICATION: Please replace the first paragraph of the specification, which appears after the title "Liposomes with Enhanced Circulation Time and Method of Treatment," and before the subheading "Field of the Invention," with the following substitute paragraph:

--This application is a continuation of copending application Serial No. 09/174,298, filed October 16, 1998, which is a continuation-in-part of Serial No. 09/139,058, August 24, 1998, now allowed, which is a divisional of Serial No.

07/858,171, filed March 27, 1992, now U.S. Patent No. 5,843,473, which is a continuation-in-part of Serial No. 642,321, filed January 15, 1991, now U.S. Patent No. 5,213,804, which is a continuation-in-part of Serial No. 425,224, filed October 20, 1989, now U.S. Patent No. 5,013,556, which are incorporated herein by reference in their entirety.--

IN THE CLAIMS: Please cancel claims 1-20. Please add new claims 21-24 as follows:

--21. (New) Liposomes having polyethylene glycol (PEG) moieties covalently bound to phospholipids on the external surface, wherein said liposomes are selected from small unilamellar vesicles (SUV's) and multilamellar vesicles (MLV's).

22. (New) Liposomes according to claim 21, wherein said liposomes comprise a mixture of lipids.

23. (New) A pharmaceutical composition comprising an aqueous suspension of liposomes according to claim 21 and a pharmaceutically acceptable carrier or diluent.

24. (New) A process for producing a liposome according to claim 21 comprising treating lipids with a polyethylene glycol having at least one activating group capable of coupling said polyethylene glycol to said liposome.--

**REMARKS**

Claims 1-20 have been cancelled, and new claims 21-24 have been added. Claims 21-24 have been copied from U.S. Patent No. 6,132,763 for the purpose of requesting an interference.

Attached is a version with markings to show changes made to the first paragraph of the specification, marked up to show all the changes relative to the previous version of the paragraph, pursuant to 37 CFR §1.121(b)(iii).

If there is any fee due in connection with the filing of this Preliminary Amendment, please charge the fee to our Deposit Account No. 05-0431.

Respectfully submitted,



Peter J. Dehlinger  
Registration No. 28,006

Date: 04-26-01

**Correspondence Address:**

Customer No. 22918  
Phone: (650) 324-0880

Version with markings to show changes made

This application is a continuation of copending  
application Serial No. 09/174,298, filed October 16, 1998, which  
is a continuation-in-part of Serial No. 09/139,058, August 24,  
1998, now allowed, which is a divisional of Serial No.  
07/858,171, filed March 27, 1992, now U.S. Patent No. 5,843,473,  
which is a continuation-in-part of Serial No. 642,321, filed  
January 15, 1991, now U.S. Patent No. 5,213,804, which is a  
continuation-in-part of [copending application] Serial No.  
425,224, filed October 20, 1989, now U.S. Patent No. 5,013,556,  
which are incorporated herein by reference in their entirety.